

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

IN RE:)	
)	Case No. 3:16-bk-05506
DAINON TARQUINIUS SIDNEY,)	Chapter 7
)	Judge Harrison
Debtor.)	
)	Obj. Due: February 13, 2017
)	Hearing Set: February 21, 2017

OBJECTION OF TO MOTION TO REOPEN CHAPTER 7 CASE

The Bank of Nashville, a division of Synovus Bank (hereinafter “Creditor”), a creditor of the Debtor, hereby files this *Objection* to the *Motion to Reopen Chapter 7 Case for the Purpose of Amending Schedules B and C and Filing a Motion to Void Judicial Lien of the Bank of Nashville* [Docket No. 17] (the “Motion”). In support of this Objection, Creditor would show the Court:

1. Debtor commenced this case under Chapter 7 of the Bankruptcy Code on August 4, 2016.
2. In the Motion, Debtor alleges that the purpose of the Motion is to seek to avoid a judicial lien obtained by creditor in 2009, which attached to certain real property that Debtor quitclaimed to a non-debtor, Valinda Burks, on June 2, 2015 (via a Quitclaim Deed that was signed October 17, 2012).
3. As a result of this 2015 transfer, Debtor did not list this real property (or any other real property) on his Schedule A.
4. Under Tennessee law, a grantee under a Quitclaim Deed takes the property subject to all existing liens.
5. Ostensibly, the Motion seeks to reopen the Bankruptcy Case so that Debtor can add this this transferred real property to his Schedule A and attempt to avoid the lien on a non-debtor asset.
6. Creditor objects to the Motion, as the Motion is futile and not appropriate under the Bankruptcy Code. No basis exists under the Bankruptcy Code to grant the relief requested.

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7. Because this Motion is only seeking to reopen the case, Creditor files this Objection with a reservation of rights as to any arguments as to any substantive motions or adversary proceedings filed seeking the avoidance of the lien. for additional time to review the basis for the disbursement and confirm that such payment is being made for reasons supported by the Bankruptcy Code.

8. Creditor reserves the right to supplement this objection at the scheduled hearing.

WHEREFORE, based on the foregoing, Creditor files this Objection to the Debtor's Motion, asks that the Motion be denied, and for such other relief as may be warranted.

Respectfully submitted,

/s/ David M. Anthony

David M. Anthony # 019951

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing has been served via electronic notice/ECF and/or United States Mail, first class, postage prepaid to the following persons:

Alex Koval
ROTHSCHILD & AUSBROOKS, PLLC
1222 16TH Avenue South, Suite 12
Nashville, TN 37212-2926

U.S. Trustee
701 Broadway
Suite 318
Nashville, TN 37203

this 13th day of February, 2017.

/s/ David M. Anthony
David M. Anthony